

Title 13
WATER AND SEWER SYSTEMS

1 SECTION 1. Ordinance 1709, Section 1, as amended, and K.C.C. 13.24.010
2 are each hereby amended to read as follows:

3 **Water and sewer system comprehensive plans.**

4 A. Comprehensive plans for water and sewer districts or any other public or
5 private entities that distribute or obtain water or provide sewer collection or
6 treatment in unincorporated areas of King County shall be adopted by each such
7 entity and approved by the King County council as a prerequisite for the following:

- 8 1. Operating in unincorporated King County;
- 9 2. Approval of annexation proposals;
- 10 3. Granting of new right-of-way franchises and right-of-way franchise
11 renewals; and
- 12 4. Approval of right-of-way construction permits, except for emergency
13 permits issued under the provisions of K.C.C. 14.44.055.

14 B. Except as provided in K.C.C. 13.24.015, such plans shall be reviewed by
15 a utilities technical review committee established by this chapter prior to
16 submission to the King County council for approval.

17 C. Only plans consistent with the King County Comprehensive Plan
18 adopted in K.C.C. Title 20 and appropriate development regulations shall be
19 approved. The infrastructure system for the existing service area, and for the area
20 anticipated to be served in the future shall be based on the adopted land use map of
21 the Comprehensive Plan. Plans and the service areas proposed to be served by the
22 water system shall also be consistent with relevant basin plans or watershed plans.

23 D. A new, fully updated plan shall be submitted every six years, or in
24 conformance with the cycle of updates required by the state Department of Health
25 or Department of Ecology, whichever is sooner(~~(-except that)~~). Except for water
26 systems proposing a changed service area, as authorized under RCW 90.03.386,
27 water comprehensive plans shall not be required for Group A water systems that are
28 not expanding public water systems as defined in WAC 246-290-010.

29 E. King County may require an updated plan, plan amendment, or other
30 documentation whenever conditions for water or sewer availability have changed
31 significantly within a water or sewer utility service area. Water and sewer utilities
32 required to plan under this chapter shall promptly notify King County of any
33 significant changes affecting service provision.

34 F. Water and sewer comprehensive plans shall include information
35 sufficient to demonstrate the ability to provide service consistent with the
36 requirements of all applicable statutes, codes, rules and regulations.

37 G. Water comprehensive plans shall be consistent with the state department
38 of health planning requirements under WAC 246-290 and with the planning criteria
39 ~~((identified by the state Department of Health))~~ in its “Water System Planning
40 Handbook” or its successor document. Water comprehensive plans shall also
41 include an evaluation of reclaimed water opportunities, as required by RCW
42 90.46.120.

43 H. Sewer comprehensive plans shall be consistent with WAC 173-240-050.
44 In addition, the plans shall discuss the following:

45 1. Existing and planned flows, both average and peak; and

- 46 2. Existing and planned flows for any basin discharging into King
47 County's sewage conveyance and treatment system; ~~((and))~~
- 48 3. Amounts of inflow and infiltration to the system, a comparison of those
49 amounts with King County's one thousand one hundred gallons per acre per day
50 standard, and steps being taken to reduce the inflow and infiltration; ~~((and))~~
- 51 4. Areas of concern with respect to corrosion and odor control and steps
52 being taken to reduce their occurrence; and
- 53 5. Opportunities for reclaimed water as required under RCW 90.48.112
54 and 90.48.495.

55 I. The utilities technical review committee may require additional
56 information to be included as part of a water or sewer comprehensive plan.

57 SECTION 2. Ordinance 1709, Section 5, as amended, and K.C.C.
58 13.24.060 are each hereby amended to read as follows:

59 **Comprehensive plans - approval requirements.** Comprehensive plans
60 approved by the county shall be consistent with the following:

61 A. K.C.C. chapter 17.08 relating to the installation of fire hydrants and
62 water mains;

63 B. State and local health standards;

64 C. The creation and maintenance of logical service areas consistent with
65 the relevant coordinated water system plans adopted under chapters 43.20 RCW
66 and 70.116 RCW and the duty to serve under RCW 43.20.260;

67 D. The expansion of service area boundaries for entities that demonstrate
68 compliance with existing water system plans, including water conservation

69 provisions, and consistency with any other applicable land use, comprehensive, or
70 watershed plans;

71 E. The elimination or prevention, or both, of duplicate facilities;

72 ~~((E.))~~ F. The promotion of the most reliable and healthful service to the
73 public, including the delivery of potable water by existing public water systems
74 on a permanent or interim basis whenever feasible;

75 ~~((F.))~~ G. The provision of service at a reasonable cost and maximization of
76 the use of existing public facilities;

77 ~~((G.))~~ H. The reduction of the number of entities providing sewer ~~((and/))~~ or
78 water service in King County, including the use of satellite ownership and
79 management and conditional approvals for new water systems under RCW
80 70.119A.060;

81 ~~((H.))~~ I. County Comprehensive Plan and other pertinent county adopted
82 plans and policies;

83 ~~((I.))~~ J. Coordinated water system plans under chapter 70.116 RCW;

84 ~~((J.))~~ K. ~~((The b))~~ Basinwide or multi-basin water plans, sewerage plans or
85 water and sewerage plans, when approved by the state Department of Ecology and
86 the state Department of Health;

87 ~~((K.))~~ L. Applicable state water quality, water conservation and waste
88 management standards;

89 ~~((L.))~~ M. The state Water Resources Act, chapter 90.54 RCW;

90 ~~((M.))~~ N. The state Growth Management Act;

91 ~~((N.))~~ Q. Adopted ground water management plans pursuant to RCW

92 90.44.400 and chapter 173-100 WAC; ~~((and))~~

93 ~~((O. A))~~ P. The requirements of the Endangered Species Act, including

94 adopted habitat conservation plans ~~((developed pursuant to the Endangered Species~~

95 ~~Act))~~ and recovery plans;

96 Q. Salmon recovery plans developed under chapter 77.85 RCW, water

97 resource plans developed under chapter 90.54 RCW, watershed plans developed

98 under chapter 90.82 RCW, and regional water supply or water resource

99 management plans; and

100 R. Applicable requirements to evaluate opportunities for the use of

101 reclaimed water under chapter 90.46 RCW.

102 SECTION 3. Ordinance 1709, Section 1, as amended, and K.C.C.

103 13.24.138 are each hereby amended to read as follows:

104 **Water facilities in rural areas.**

105 A. Standards and plans for utility services in rural areas and the design and

106 scale of new water facilities that serve the Urban Growth Area but must be located

107 in the rural area shall be consistent with the needs of long-term low density

108 residential development and resource industries in the rural area.

109 B. ~~((P.))~~ New development in the rural area may be served by individual

110 private wells and Group A and B water systems~~((may be allowed in rural areas.))~~

111 as follows:

112 1. If the ~~((area for a new public water system is included))~~ new

113 development is proposed in the planning or service area of an existing water

114 purveyor as identified in a Coordinated Water System Plan or an individual water
115 system plan reviewed by the County and approved by the State, ((the)) a new
116 public water system ((should)) shall be operated by the purveyor through either
117 satellite management or direct service((-));

118 2. If the development is proposed for an area that has been assigned to a
119 water purveyor through a King County approved Coordinated Water System Plan
120 or an individual water system plan reviewed by the County and approved by the
121 State and the proposed development does not meet requirements for a private well
122 or Group B system, a Group A water supply system shall be required;

123 3. If the proposed development is included in an area currently served by
124 a Group B water system that has known quality or quantity problems that threaten
125 public health and can best be solved by Group A service, a new Group A water
126 supply system may be created; and

127 4. If a Group A public water system cannot provide service to the new
128 development in a timely and reasonable manner as provided in RCW 70.116.060,
129 or if service cannot be provided with reasonable economy and efficiency as
130 provided in RCW 19.27.097, a new public water system may be created.

131 C. Existing Group A water systems may be allowed to remain and shall not
132 be expanded beyond the total number of lots ~~((which such))~~ that the system is
133 ultimately designed to serve, except as ~~((may be))~~ otherwise provided in subsection
134 D of this section.

135 D. ~~((Establishment of new))~~ A Group A water system((s)) may be
136 established or ~~((the expansions of existing Group A water systems may also be~~
137 ~~allowed))~~ expanded if:

138 1.a. ~~((W))~~the existing water systems have quality or quantity problems
139 that threaten public health and ~~((which))~~ that can best be solved by Group A
140 service; or

141 b. The area has been assigned to a water purveyor through a King
142 County-adopted coordinated water system plan; and

143 2. Before approval of the new system or system extension, the maximum
144 number of connections has been specified based on the number of previously
145 platted, or otherwise legally divided, lots and the zoning approved for the total
146 rural area being served, and Group A service is financially feasible at the resulting
147 density.

148 E. In a closed basin, as defined by WAC 173-507, 173-508, 173-509,
149 173-510, and 173-515, a public water system created to provide domestic water
150 for a proposed subdivision and that uses an exempt well under RCW 90.44.050
151 shall meet the following standards:

152 (1) the public water system may serve no more than six lots;

153 (2) only one public water system may be created to serve the
154 subdivision;

155 (3) the public water system may have only one exempt well, unless
156 more than one exempt well is required to meet the water flow requirements; and

157 (4) the public water system shall allow no more than one-half acre of
158 irrigation.

159 SECTION 4. Ordinance 11616, Section 14, as amended, and K.C.C.

160 13.24.140 are each hereby amended to read as follows:

161 **Water facilities in urban areas – ((I))interim alternative water service.**

162 A. All new development in the urban growth area ~~((may))~~ shall be served
163 by the appropriate existing Group A water purveyor, unless service cannot be
164 provided in a timely and reasonable manner as provided in RCW 70.116.060 or
165 with reasonable economy and efficiency as provided in RCW 19.27.097.

166 B. Alternative water service shall be permitted on an interim basis, only as
167 follows:

168 ~~((A.))~~ 1. For individual lots, the director of the department of development
169 and environmental services may authorize interim water service from an existing
170 Group B public water purveyor or the development of an individual well given the
171 following findings;

172 ~~((1.))~~ a. The applicant has submitted a certificate of water availability
173 from the appropriate Group A water purveyor accompanied by a letter from the
174 same purveyor ~~((which))~~ that demonstrates to the satisfaction of the director that the
175 requirement to receive water service from the purveyor is unreasonable or
176 infeasible at the time of construction, which means service cannot be provided in a
177 timely and reasonable manner in accordance with RCW 70.116.060(3)(b) or with
178 reasonable economy and efficiency as provided in RCW 19.27.097;

179 ((2-)) b. The applicant has received a water availability certificate from an
180 existing Group B public water purveyor or has received pre-application approval
181 for connection to a private well from the Seattle-King County department of public
182 health in accordance with the rules and regulations of King County board of health
183 Title 12;

184 ((3-)) c. The applicant has provided a Certificate of Future Connection
185 from the appropriate Group A water purveyor ((which)) that certifies that an
186 irrevocable agreement has been entered into with the purveyor providing that the
187 property shall be connected to the purveyor's water system upon availability of such
188 water service and that the property owner shall pay all costs of connection. This
189 certificate shall stipulate that the applicant and his grantees agree to participate in
190 and not protest the formation of a utility local improvement district (ULID) or local
191 improvement district (LID) or utility purveyor project that is designed to provide
192 public water services to the property. This certificate shall be recorded in the real
193 property records of King County and shall be a permanent condition on the
194 property running with the land until such time as the costs for connection are fully
195 paid to the purveyor; and

196 ((4-)) d. Application of the standards of this title would otherwise
197 preclude reasonable use of the property.

198 ((B-)) 2. For subdivisions and short subdivisions, interim water service
199 from a new or existing ((Group B)) public water system may be approved as
200 follows:

201 ~~((1-))~~ a. The applicant has received approval for the creation of a new
202 ~~((Group B))~~ public system in accordance with the applicable Coordinated Water
203 System Plan or individual water system plan reviewed by the County and approved
204 by the State, if any, or the applicant has received a water availability certificate
205 from an existing ~~((Group B))~~ public water system; and

206 ~~((2-))~~ b. The director of the department of development and
207 environmental services makes the following findings:

208 ~~((a-))~~ (1) the applicant has provided a Certificate of Future Connection
209 from the appropriate Group A water purveyor ~~((which))~~ that certifies that an
210 irrevocable agreement has been entered into with the purveyor providing that the
211 property shall be connected to the purveyor's water system upon availability of such
212 water service and that the property owner shall pay all costs of connection. This
213 certificate shall stipulate that the applicant and his grantees agree to participate in
214 and not protest the formation of a utility local improvement district (ULID) or local
215 improvement district (LID) or utility purveyor project that is designed to provide
216 public water services to the property. This certificate shall be recorded in the real
217 property records of King County and shall be a permanent condition on the
218 property running with the land until such time as the costs for connection are fully
219 paid to the purveyor;

220 ~~((b- a new Group B public water system formed in the planning area of~~
221 ~~an existing water purveyor as identified in a Coordinated Water System Plan shall~~
222 ~~be operated through satellite system management))~~ (2) the applicant provides a
223 statement from the Group A public water system designated to assume the new

224 public water system, or within whose service area the new system is proposed to be
225 constructed, that it will provide satellite management of the system until it can
226 provide direct service, as required by RCW 70.119A.060; and

227 ((e-)) (3) any new ((Group B)) public water system ((shall)) will be built
228 to the design standards of the appropriate Group A water purveyor to which it will
229 be eventually connected.

230 C. Either existing wells or Group B water systems, or both, may serve the
231 lots that the systems are ultimately designed to serve and shall be managed in
232 compliance with applicable health regulations.